IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.4302 OF 2004
IN
CRIMINAL APPEAL NO.1190 OF 2004

Parshuram Magdanand Godiyal ...Applicant.

V/s

State of Maharashtra. ...Respondent

Shri Vijay Pradhan, Sr. Counsel with Mr. R. Chawrasia & R. Satyanarayanan, advocates for the appellant.

Mr. Desai Advocate for the Complainant.

Mr. B.R. Patil, Acting P.P. for the respondent - State.

CORAM: V.M.KANADE,J.

DATE: 19TH OCTOBER, 2004

P.C.:

1. Heard the learned Counsel appearing on behalf of the applicant, the learned Acting P.P. appearing on behalf of the State and the learned Counsel appearing on behalf of the Complainant.

2. Applicant is convicted under section 304B of the Indian Penal Code and sentenced to suffer rigorous imprisonment for seven years. The deceased Suman committed suicide by hanging herself after three years of her marriage. Before committing suicide, she had written two notes which are exhibited at Exhibits-14 and 15. One note was addressed to her husband and the

other to her mother in which she had stated that she was fedup with the harassment which was given to her by her husband and that, lately, he had also started assaulting her. Her father P.W. 4 in his evidence had stated that he had given his old house to his son-in-law and his daughter and he had also transferred one of his business. The deceased committed suicide on account of harassment, cruelty and frustration. There does not appear to be evidence to suggest that dowry was demanded.

3. Under these circumstances, applicant is directed to be released on bail in the sum of Rs 25,000/- with one or two sureties in the like amount. He shall report to the Kandivali Police Station twice in a month.

4. It is submitted that the fine amount has been paid. The said amount may be invested in any Nationalized Bank.

V.M. KANADE, J.